

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GUILFORD COLLEGE, <i>et al.</i>	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:18-cv-0891
	)	
KEVIN K. MCALEENAN, in his	)	
official capacity as Acting Secretary	)	
of Homeland Security, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**JOINT REQUEST FOR VACATUR OF PRIOR ORDER**

Counsel for Plaintiffs and Defendants (“the Parties”) hereby jointly request that the Court vacate its July 3, 2019 Order (ECF No. 56) regarding re-filing Plaintiffs’ Motion for Partial Summary Judgment (ECF No. 47) and Defendants’ Motion for Summary Judgment (ECF No. 50), as well as their oppositions and replies thereto. Within one hour of the entry of the Court’s Order, Defendants’ counsel filed a redacted copy of the Certified Administrative Record (“CAR”) in this matter via CM/ECF. Plaintiffs’ counsel had already been provided with a digital copy of the same CAR on May 9, 2019 (albeit with no redactions of private/sensitive contact information within that document) to allow the Parties to comply with this Court’s prior order (ECF No. 46) setting forth an accelerated briefing schedule for cross-motions for summary judgment.

The Parties apologize for the timing of filing the CAR. The Parties' counsel were in communication as to how Defendants should properly file the CAR with the Court, such as whether to file it under seal or with significant redactions. Counsel for the Parties were handling multiple cases across the country and had other professional matters.

On July 4, Counsel for the Parties held a telephonic meet and confer regarding the Court's Order and agree that because the CAR has now been filed, nothing in the Parties' cross-motions for summary judgment (such as their internal cross-references to other submissions on the Court's docket) needs to be altered. If, however, the Parties were to re-file their motions and their accompanying oppositions and replies, that would require them to both coordinate the sequencing and CM/ECF docket entries for the cross-referencing in their motions practice to make sense. Therefore, in order to avoid the resulting delay, as well as the time and expense of the Court, the Parties respectfully request that this Court vacate its Order of July 3 to allow for the most expeditious review of both the motions and the CAR already filed.

Of course, if the Court prefers for the parties to resubmit the motions and accompanying memorandum, the Parties will promptly confer regarding a schedule for doing so.

Respectfully submitted,

/s/ Paul W. Hughes

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Dated: July 10, 2019

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 10, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will provide electronic notice and an electronic link to this document to all attorneys of record.

DATED: July 10, 2019

By: /s/ Joshua S. Press  
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